

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
J. FREDERICK MOTZ
UNITED STATES DISTRICT JUDGE

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
101 W. LOMBARD STREET
BALTIMORE, MARYLAND 21201
2003 JAN 14 8:11 AM
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CLERK'S OFFICE
AT BALTIMORE
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January 14, 2003

Memo To Counsel Re: Protection One Alarm Monitoring, Inc. v. Glessner Protective
Services, Inc.
Civil No. JFM-02-3653

Dear Counsel:

I have reviewed the memoranda submitted in connection with defendants' motion to
dismiss Count IV of the complaint.

The motion is granted. I believe that Judge Blake's opinion in *Penn-Plax, Inc. v. L.
Schultz, Inc.* 988 F. Supp. 906 (1997) is correct, and I follow it in finding that a competitor, such
as Protection One, has no standing to bring an action under the Maryland Consumer Protection
Act.

Despite the informal nature of this ruling, it shall constitute an Order of Court, and the
Clerk is directed to docket it accordingly.

Very truly yours,



J. Frederick Motz
United States District Judge

cc: Court File

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JFM